



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

DAVID W. SALYERS, P.E.
COMMISSIONER

BILL LEE
GOVERNOR

July 12, 2019

Via Electronic Mail to cody.a.flatt@usace.army.mil

Attn: Cody Flatt, Biologist
Department of the Army
Nashville District, Corps of Engineers
110 9th Avenue South, Room A-405
Nashville, TN 372032

Dear Mr. Flatt:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the U.S. Army Corps of Engineers (USACE) – Nashville District, Draft Integrated Detailed Project Report and Environmental Assessment (DPR/EA) and Unsigned Finding of No Significant Impact (FONSI) dated May 2019, for the Harpeth River, Franklin, Tennessee Flood Risk Management Study. The purpose of the Draft DPR/EA report is to analyze potential solutions for the flooding problems along Harpeth River within Franklin, TN. This study was initially scoped in 2013 as the Harpeth River Watershed Feasibility Project. However, based on the initial investigations the study was refocused to only the City of Franklin in 2017. The re-scope in 2017 analyzed three measures (one structural and two non-structural) that included the installation of two 10 foot x 18 foot box culverts underneath the East Main Street/Franklin Road Bridge embankment, purchasing and removal of 26 potentially qualifying residential structures, and raising a total of 35 potentially qualifying structures. It was determined by the Corps and the City of Franklin that the aforementioned box culverts were not part of the most cost beneficial plan so the structural component of the feasibility report was removed. Also, the potential purchasing of 26 qualifying residential structures was ruled out based on cost effectiveness. The Non-Structural (Raising) Plan was ultimately determined to be the Tentatively Selected Plan (TSP), which is the plan that provides the greatest net benefits. The Draft DPR/EA TSP recommends the following actions:

- **Tentatively Selected Plan (TSP)** – The TSP plan is to raise 35 structures in-place. All 35 structures are known to receive damage (water in the first floor) at or before a 50-year event. The height for each structure to be raised was determined based on the first floor elevation for each structure. The City of Franklin's floodplain regulations require the first floor elevation to be 3 feet above the 100-year flood elevation. Participation by the property owners in the raising of the structures is voluntary. To prepare a structure for raising, the perimeter might require some

excavation and clearing to gain access to all exterior walls and to position equipment. Once the preparatory work is completed, metal beams are slid under the first floor of the house and supported by hydraulic jacks on each side. The jacks are balanced and kept even with a unified jacking system. The structure is typically lifted 6-10 inches at a time to allow workers to build cribbing supports (cross-stacked timber). More timber is added after each lift until the structure's first floor reaches the desired elevation. The house would then be given time to settle. The contractor will build up the foundation, frame new basement walls, reconnect utilities, and restore the exteriors. Once the house is secured to its new foundation, the cribbing is removed.

TDEC has reviewed the Draft DPR/EA with Unsigned FONSI and provides the following comments:

Cultural and Natural Resources

TDEC believes the Draft DPR/EA adequately addresses potential impacts to cultural and natural resources within the proposed project area and supports the plan.¹

Air Resources

TDEC encourages that proper work practices be followed to prevent and mitigate any potential for lead or asbestos exposures during the work performed in preparing to raise the affected homes and in reinstalling them on site. Overall, the Draft DPR/EA adequately addresses potential for impacts to Tennessee's air resources.

Solid Waste

TDEC recommends that the Final DPR/EA reflect that projects resulting in waste generation (e.g. intentionally or accidentally through construction, future operations, or maintenance as informed by the Dale Hollow Lake Master Plan) be evaluated and managed in accordance with the Solid and Hazardous Wastes Rules and Regulations of the State of Tennessee.²

Water Resources

USACE intends to use erosional best management practices, which TDEC strongly encourages. Should extensive excavation be required to access walls for raising a structure that exceeds one acre or if the homes were on adjacent properties and the cumulative effect would be more than one acre, a storm water construction permit may be required. TDEC recommends the Final DPR/EA reflect these considerations.

¹ This is a state-level review only and cannot be substituted for a federal agency Section 106 review/response. Additionally, a court order from Chancery Court must be obtained prior to the removal of any human graves. If human remains are encountered or accidentally uncovered by earthmoving activities, all activity within the immediate area must cease. The county coroner or medical examiner, a local law enforcement agency, and the state archaeologist's office should be notified at once (Tennessee Code Annotated 11-6-107d). If you have questions, please contact Daniel Brock, State Programs Archaeologist at 615-687-4778 or Daniel.Brock@tn.gov.

² Reference TDEC SWM Rule 0400 Chapter 11 for Solid Waste and Chapter 12 for Hazardous Waste <http://sos.tn.gov/effective-rules>.

TDEC appreciates the opportunity to comment on this Draft DPR/EA with Unsigned FONSI. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,

A handwritten signature in blue ink that reads "Kendra Abkowitz".

Kendra Abkowitz, PhD
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Tennessee Department of Environment and Conservation
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cc: Lacey Hardin, TDEC, APC
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